

AMENDED IN ASSEMBLY AUGUST 22, 2006

AMENDED IN ASSEMBLY AUGUST 7, 2006

AMENDED IN SENATE MAY 3, 2006

**SENATE BILL**

**No. 1373**

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**Introduced by Senator Romero**

February 21, 2006

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An act to add Section 1719.7 to the Welfare and Institutions Code, relating to the Division of Juvenile Justice.

LEGISLATIVE COUNSEL'S DIGEST

SB 1373, as amended, Romero. Division of Juvenile Justice: parole: consideration dates.

Existing law vests within the Division of Juvenile Justice all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of the former Youth Authority. The Division of Juvenile Justice consists of the Division of Juvenile Facilities, the Division of Juvenile Programs, and the Division of Juvenile Parole Operations under the Chief Deputy of Juvenile Justice.

Existing law requires the Board of Parole Hearings to exercise powers and duties related to parole orders and conditions and the revocation or suspension of parole. The Division of Juvenile Facilities sets the initial parole consideration dates for wards.

This bill would require the Division of Juvenile Justice to have as a performance objective, the reduction of *the average length of stay and a reduction of* net time added to all ward parole consideration dates, ~~as defined for disciplinary reasons~~. The bill would require the division to make specified reports to the Legislature with regard to that objective.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. The Legislature finds and declares all of the~~  
2     ~~following:~~  
3     ~~(a) In order to comply with the requirements of the consent~~  
4     ~~decree in the Farrell v. Hickman litigation (Sup. Ct. Alameda~~  
5     ~~County, 2003, No. 03079344), the Division of Juvenile Justice~~  
6     ~~has agreed and is bound to implement specific reforms of its~~  
7     ~~programs and institutions for state-committed juveniles.~~  
8     ~~(b) Conditions, programs, and outcomes for Division of~~  
9     ~~Juvenile Justice wards can be improved more quickly and~~  
10    ~~efficiently and at lower cost to the state if the institutional~~  
11    ~~population of the division can safely be reduced.~~  
12    ~~(c) The institutional population of the Division of Juvenile~~  
13    ~~Justice, even with recent declines, remains elevated by outmoded~~  
14    ~~policies and practices that result in long and costly terms of state~~  
15    ~~confinement that are well in excess of national norms. These~~  
16    ~~policies and practices include excessive time-adds for discipline~~  
17    ~~and program failures, the insufficient availability of good-time~~  
18    ~~credits for the mainstream ward population, and long~~  
19    ~~presumptive sentences known as “parole consideration dates”~~  
20    ~~that were adopted by the former Youthful Offender Parole Board~~  
21    ~~and are now in need of review.~~  
22    ~~(d) According to the March 31, 2006, revision of the division’s~~  
23    ~~Ward Safety and Welfare Plan by a team of national youth~~  
24    ~~corrections experts, the average length of institutional stay of~~  
25    ~~wards in the Division of Juvenile Justice of 25.9 months in 2004~~  
26    ~~was more than three times the average confinement time served~~  
27    ~~by juvenile offenders in other state youth correctional systems;~~  
28    ~~and the division’s institutional cost-per-ward of one hundred~~  
29    ~~fifteen thousand dollars (\$115,000) in 2004 was well in excess of~~  
30    ~~the average youth confinement costs incurred by other states.~~  
31    ~~Further, these institutional stays and costs correlate with~~  
32    ~~chronically high recidivism and recommitment rates for wards~~  
33    ~~released from division institutions.~~  
34    ~~(e) The institutional population of the Division of Juvenile~~  
35    ~~Justice can safely be reduced, with substantial prospective~~

~~benefits in state cost and ward and public safety outcomes, by adjusting the time-add and time-credit policies of the division. In addition, there is a present need for the division to reassess current state guidelines for the assignment of parole consideration dates for committed wards and to provide the Legislature with information that can serve a basis for future adjustments that may be consistent with ward treatment and public safety goals.~~

~~SEC. 2.~~

*SECTION 1.* Section 1719.7 is added to the Welfare and Institutions Code, to read:

~~1719.7. (a) For purposes of this section:~~

~~(1) "Performance~~

*1719.7. (a) For purposes of this section, "performance objective" means an outcome that the Division of Juvenile Justice shall make a good faith effort to achieve.*

~~(2) "Reduction of net time added to all ward parole consideration dates" means an outcome in which the average net time added or credited for all reasons to the institutional stays of all wards in division facilities is reduced from a calendar year 2005 baseline of 3.7 months per ward per year.~~

*(b) The Division of Juvenile Justice shall have as a performance objective, the reduction of the average length of stay and a reduction of net time added to all ward parole consideration dates for disciplinary reasons. Each report required by subdivision (c) shall describe the division's progress toward this performance objective with reference to the 2005 average of 3.7 months per ward per year for comparison.*

~~(e) Within 45 days of the close of each calendar quarter, the~~

*(c) Forty-five days after January 1 and July 1 of each calendar year, the Division of Juvenile Justice shall submit a report to the Legislature describing the average length of stay and the average net time added to the institutional stays of wards in division facilities for disciplinary reasons during the quarter period. Each report shall describe the average per-ward disciplinary and nondisciplinary time added and credited to ward parole consideration dates, and the net of additions and credits, during the quarter period for each of the seven offense categories described in Sections 4951 to 4957, inclusive, of Title 15 of the California Code of Regulations. Each report shall also identify*

1 ~~the reasons for time adds or credits and shall include~~ time add  
2 and credit results for institutionalized parole violators. The report  
3 for the last ~~quarter~~ *period* of any calendar year shall additionally  
4 compile all ~~quarterly~~ report information into an annual report  
5 with annualized information for the calendar year.

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